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FEB 16 2006

US PATENT & TRADEMARK  
OFFICE

Attorney Docket No. 58288 (72021)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: T. Yoon, et al.

EXAMINER: Zachary C. Tucker

U.S.S.N.: 11/031,380 10,645,312

ART UNIT: 1624

FILED: August 20, 2003

CONFIRMATION: 7622

FOR: 5-SUBSTITUTED-2-ARYLPYRAZINES

Mail Stop 16  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR REFUND

I. REFUND REQUEST

This is a request for a refund to our Deposit Account No. 04-1105 with respect to the above-identified application.

application.  
 patent.

*(check the following, if desired, and supply copy of statement)*

II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
Filing fee	
Search fee	
Examination fee	

surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e))

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T. Yoon, et. al  
USSN 10/645,312  
Attorney Docket No. 58288 (72021)

surcharge for filing the oath or declaration on a  
date later than the filing date of the application  
(37 CFR 1.16(e))

extension of term

first month

second month

third month

fourth month

excess claims

independent claims over 3  
X 108 total claims over 20

2,700.00

multiple dependent claims

petition fee

patent maintenance fee

first maintenance fee

second maintenance fee

third maintenance fee

patent maintenance fee surcharge

Other

priority document fee

designation fee per country (PCT)

**TOTAL REFUND REQUESTED**

\$2,700.00

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T. Yoon, et. al  
USSN 10/645,312  
Attorney Docket No. 58288 (72021)

### III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

On January 23, 2006, Applicant filed an amendment under 37 CFR 1.312 requesting entry of new claims directed to individual species embodied in claims 11 and 26 with a request to charge \$2,70.00 to our Deposit Account No. 04-1105 for the excess claim fees associated with the proposed 1.312 amendment.

Entry of the January 23, 2006 rule 1.312 amendment was denied. Thus, the claims were not entered into the file and not examined. Applicants request a refund for the excess claim fees paid for those claims denied entry into the application.

Thank you in advance for your assistance in this matter.

#### IV. MANNER OF REFLUND

Please make refund by

**X** crediting Account No. 04-1105  
refunding payment.

Should you have any questions, please contact the undersigned attorney.

Dated: February 16, 2006

Respectfully submitted,

By

~~John B. Alexander, Ph.D.~~

Registration No : 48 300

EDWARDS ANGELL PALMER & DODGE LLP

P.O. Box 55874

Boston, Massachusetts 02205

(617) 439-4444

Attorneys/Agents For Applicant

## Monetary Agents for Applications

Customer No. 21874  
nos2 531114.1

- 3 -

8052-53114-1/11/EXANDER

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## FAX TRANSMISSION

DATE: February 16, 2006

PTO IDENTIFIER: Application Number 10/645,312-Conf. #7622  
Patent Number

Inventor: Taeyoung Yoon et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: EDWARDS ANGELL PALMER & DODGE LLP

John B. Alexander, Ph.D.

PHONE: (617) 439-4444

Attorney Dkt. #: 58288(72021)

PAGES (including Cover Sheet): 10

CONTENTS:  Amendment Under 37 C.F.R. 1.312 (5 pages)  
 Request for Refund (3 pages)  
 Certificate of Transmission (1 page)

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PTO/SB/07 (06-04)

Approved for use through 07/31/2006. OMB 0851-0031

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Application No. (if known): 10/645,312

Attorney Docket No.: 58288(72021)

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on February 16, 2006  
Date



Signature

John B. Alexander, Ph.D.

Typed or printed name of person signing Certificate

48,399  
Registration Number, if applicable

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Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Amendment Under 37 C.F.R. 1.312) (5 pages)  
Request for Refund (3 pages)

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P. 03

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Docket No.: 58288(72021)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Taeyoung Yoon et al.

Application No.: 10/645,312

Confirmation No.: 7622

Filed: August 20, 2003

Art Unit: 1624

For: 5-SUBSTITUTED-2-ARYLPYRAZINES

Examiner: Z. C. Tucker

**SECOND AMENDMENT UNDER 37 C.F.R. 1.312**

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

Prior to issuance of the patent, applicant respectfully requests entry on this amendment under 37 C.F.R. 1.312 for the above-captioned patent application.

**Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.**

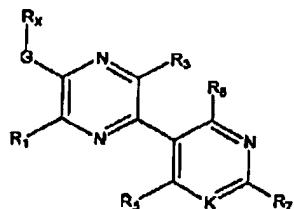
**Remarks/Arguments begin on page 5 of this paper.**

Application No. 10/645,312  
 Amendment dated February 16, 2006  
 After Allowance Under 37 C.F.R. 1.312

Docket No.: 58288(72021)

AMENDMENTS TO THE CLAIMS

1. (Previously presented) A compound of the Formula:



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or a pharmaceutically acceptable salt thereof, wherein:

G is oxygen or NH;

Rx is straight or branched chain C<sub>1-8</sub>alkyl;

R<sub>1</sub> and R<sub>3</sub> are independently selected from hydrogen, cyano, C<sub>1-4</sub>alkyl, halogen, C<sub>1-2</sub>haloalkyl,

C<sub>1-2</sub>haloalkoxy, mono- and di-C<sub>1-4</sub>alkylamino, C<sub>1-4</sub>alkoxy, and C<sub>1-4</sub>alkylthio;

R<sub>5</sub> is hydrogen, halogen, hydroxy, C<sub>1-4</sub>alkyl, or C<sub>1-4</sub>alkoxy;

K is N or CH;

R<sub>7</sub> is halogen, cyano, C<sub>1-4</sub>alkyl, C<sub>1-2</sub>haloalkyl, C<sub>1-2</sub>haloalkoxy, mono- and di-C<sub>1-4</sub>alkylamino, C<sub>1-2</sub>alkoxyC<sub>1-4</sub>alkyl, C<sub>1-2</sub>alkoxycarbonyl, mono- and di-C<sub>1-2</sub>alkylcarboxamido, -C(=O)NH<sub>2</sub>, hydroxyC<sub>1-2</sub>alkyl, trifluoromethylsulfonyl, 2,2,2-trifluoro-1-hydroxyethyl, or a 4-7 member heterocycloalkyl group containing 1 or 2 atoms independently chosen from N, O, and S;

R<sub>8</sub> is halogen, hydroxy, C<sub>1-2</sub>alkyl, C<sub>1-2</sub>alkoxy, or mono- and di-(C<sub>1-2</sub>alkyl)amino.

2. (Original) A compound or salt according to Claim 1 wherein R<sub>1</sub> and R<sub>3</sub> are not hydrogen.

3-4. (Canceled).

5. (Original) A compound or salt according to Claim 1 wherein G is NH and Rx is 1-ethyl propyl.

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Application No. 10/645,312  
Amendment dated February 16, 2006  
After Allowance Under 37 C.F.R. 1.312

Docket No.: 58288(72021)

6. (Original) A compound or salt according to Claim 5 wherein R<sub>1</sub> is cyano, methoxy, or methylthio and R<sub>3</sub> is methyl or ethyl.

7. (Original) A compound or salt according to Claim 1 wherein G is oxygen and R<sub>x</sub> is 1-ethylpropyl, 1-isopropyl-2-methypropyl, 1-propylbutyl, or 1-ethylbutyl.

8. (Original) A compound or salt according to Claim 7 wherein R<sub>3</sub> is halogen, C<sub>1-2</sub>alkyl, or methylamino.

9. (Original) A compound or salt according to Claim 7 wherein R<sub>1</sub> is halogen, methyl, methoxy, ethyl, ethoxy, or C<sub>1-2</sub>alkylamino.

10. (Original) A compound or salt according to Claim 7 wherein R<sub>1</sub> is methylamino.

11. (Cancelled).

12. (Original) A compound or salt according to Claim 1 wherein, in a standard in vitro CRF receptor binding assay the compound exhibits a K<sub>i</sub> value for CRF receptors of less than or equal to 1 micromolar.

13. (Original) A compound or salt according to Claim 1 wherein, in a standard in vitro CRF receptor binding assay the compound exhibits a K<sub>i</sub> value for CRF receptors of less than or equal to 100 nanomolar.

14. (Original) A compound or salt according to Claims 1 wherein, in a standard in vitro CRF receptor binding assay, the compound exhibits a K<sub>i</sub> value for CRF receptors of less than or equal to 10 nanomolar.

Application No. 10/645,312  
Amendment dated February 16, 2006  
After Allowance Under 37 C.F.R. 1.312

Docket No.: 58286(72021)

15. (Previously presented) A method for treating anxiety, or depression, comprising administering to a patient in need of such treatment a therapeutically effective amount of a compound or salt according to Claim 1.

16. (Canceled)

17. (Original) A pharmaceutical composition comprising a pharmaceutically acceptable carrier and a compound or salt of Claim 1.

18. (Previously presented) A pharmaceutical composition according to Claim 17, wherein the composition is formulated as an injectable fluid, an aerosol, a cream, a gel, a tablet, a capsule, a syrup or a transdermal patch.

19. (Previously presented) A package comprising a pharmaceutical composition of Claim 17 in a container and further comprising indicia comprising at least one of:

instructions for using the composition to treat a patient suffering from anxiety, or instructions for using the composition to treat a patient suffering from depression.

20-26. (Canceled).

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Application No. 10/645,312  
Amendment dated February 16, 2006  
After Allowance Under 37 C.F.R. 1.312

Docket No.: 58288(72021)

**REMARKS**

Applicants appreciate the courtesy extended by Examiner Tucker during the telephonic interview conducted today in connection with the refusal of entry of the first amendment under 1.312 filed January 23, 2006 in connection the instant application.

Claims 1, 2, 5-10, 12-15, and 17-19 are pending after entry of the instant amendment. Claims 11 and 26 have been cancelled without prejudice or disclaimer by the instant amendment. Applicant reserves the right to pursue the subject matter of the cancelled claims in one or more continuation applications.

If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 04-1105 referencing docket no. 58288(72021).

Dated: February 16, 2006

Respectfully submitted,

By John B. Alexander, Ph.D.

John B. Alexander, Ph.D.  
Registration No.: 48,399  
EDWARDS ANGELL PALMER & DODGE LLP  
P.O. Box 55874  
Boston, Massachusetts 02205  
(617) 439-4444  
Attorneys/Agents For Applicant



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## PATENT APPLICATION

Response under 37 C.F.R. 1.116 –  
Expedited Procedure – Examining Group Art Unit 2633

Attorney Docket No: 881-4

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Robert R. Alfano et al.

GROUP ART UNIT: 2633

APPLN NO: 10/116,194

EXAMINER: Bello, Agustin

FILING DATE: April 4, 2002

DATED: December 21, 2005

FOR: **METHODS OF IMPROVING LINE OF SIGHT  
WIRELESS OPTICAL COMMUNICATION THROUGH  
ADVERSE ENVIRONMENTAL CONDITIONS**

Mail Stop: AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

### AMENDMENT UNDER 37 C.F.R. 1.116

Sir:

In response to the Office Action of the United States Patent and Trademark Office dated September 21, 2005, please consider the following amendments and remarks.

Adjustment Date: 03/23/2006 SDIRETAA1  
01/27/2006 MAHMED1 00000003 041105 10645312  
01 FC:2202 2700.00 CR

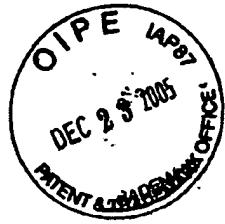
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Dated: December 21, 2005

Margaret Leone  
Margaret Leone



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PATENT APPLICATION  
Attorney Docket: 881-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Robert R. Alfano et al.

Examiner: Bello, Agustin

Serial No.: 10/116,194

Group: Art Unit: 2633

Filed: April 4, 2002

Dated: December 21, 2005

For: METHODS OF IMPROVING LINE OF SIGHT  
WIRELESS OPTICAL COMMUNICATION  
THROUGH ADVERSE ENVIRONMENTAL CONDITIONS

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL FORM

Sir:

Transmitted herewith is an amendment in the above-identified application.

Small entity status of this application under 37 C.F.R. "1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity under 37 C.F.R. "1.9 and 1.27 is enclosed.

No additional fee is required.

For	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate (Small Entity)	Addit. Fee	Rate (Large Entity)	Addit. Fee
TOTAL CLAIMS*	30	30	0	x 25 =	\$0.00	x 50 =	\$0.00
INDEPENDENT CLAIMS	2	3	0	X100 =	\$0.00	x200 =	\$0.00
<input type="checkbox"/> First Presentation of Multiple Dep. Claim				180.00		360.00	\$0.00

\* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

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Dated: December 21, 2005

Margaret Leone  
Margaret Leone

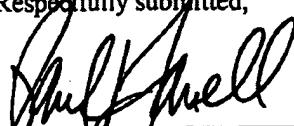
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Please charge Deposit Account No. 04-1121 in the amount of \$\_\_. Two (2) copies of this sheet are enclosed.

A check in the amount of \$ is enclosed.

Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. "1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 04-1121. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121 therefor. A DUPLICATE OF THIS SHEET IS ENCLOSED.

Respectfully submitted,



Paul J. Farrell  
Reg. No. 33,494  
Attorney for Applicant(s)

DILWORTH & BARRESE, LLP  
333 Earle Ovington Blvd.  
Uniondale, NY 11553  
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